

COPY

**State of Utah****Department of  
Natural Resources**

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*Executive Director*

**Division of  
Oil, Gas & Mining**

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January 5, 2006

Christopher A. Jones  
Pruitt Gushee Law Offices  
48 West Market Street, Suite 300  
Salt Lake City, Utah 84101-2144

Subject: Access Road Protection - Peay's Dream Mine (Rock Canyon) S/049/043, Utah  
County, Utah

Dear Mr. Jones:

In a December 28, 2005 letter I identified a significant concern over damage to the asphalt access road in Rock Canyon occurring as a result of tramping a D9 Dozer into the mine site. The reclamation plan lists a D9 dozer as one of the pieces of equipment to be used in the reclamation. The concern is that the grousers, (cleats on the tracks) of the D9 dozer will crumble the thin asphalt covering on the access road.

Please provide as an addendum to the reclamation plan the specific approach and precautions that will be taken to ensure that this damage does not occur.

As expressed in the December 28, 2005 letter, the Division expects the reclamation work will be performed in a professional manner and follow the reclamation plan. Any failure of the work as a result of current seasonal conditions or actions undertaken will need to be re-addressed in the spring by Mr. Davis. Off-site damage to the roadway, staging areas, or other areas outside the area of the plan, resulting from activity of the contractor, or equipment used, will also be the responsibility of the Mr. Davis.

Thank you for your continued participation in this effort.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Mesch".

Mark Mesch  
Program Administrator  
Division of Oil, Gas and Mining

MM:

cc: Camille S. Williams  
Steve Alder, AAG, DNR  
Mary Ann Wright, DOGM  
Daron Haddock, DOGM  
Lynn Kunzler, DOGM

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